

REMARKS

A certified copy of the European priority application No. 99309981.1 is enclosed herewith, substantiating applicant's claim for foreign priority.

The Examiner objected to the disclosure because of the lack of headings for each part of the specification. The specification has been amended above to add such headings.

The claims were objected to because of the lack of a proper introduction. This had been corrected by amendment above with the inclusion of the term "I claim."

Claims 1-6 were rejected under 35 U.S.C. §101 as being inoperative. Claims 1, 2, 5 and 6 were also rejected under 35 U.S.C. §102(b) as being anticipated by the cited Sunstein patent.

Claim 1 has been amended to include the features of claim 3 and claim 5 has similarly been amended. With respect to the utility objections, claims 1 and 5 have been amended so emphasize the utility of the claimed invention, claim 1 now referring to a method of data processing and claim 5 referring to data processing apparatus. As for the Examiner's contention that the invention is inoperative, applicant respectfully rebuts that contention. Enclosed herewith is sworn declaration prepared by the applicant in Germany that is submitted as proof of the operative nature of the present invention.

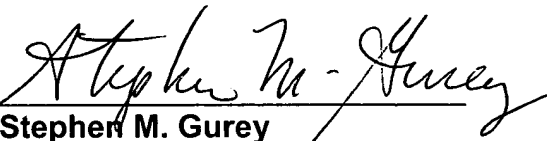
With the rejection under 35 U.S.C. §101 rebutted, and the amendments made to claims 1 and 5 that obviate the Examiner's rejections under 35 U.S.C. §102(b),

Based upon the foregoing reasons, applicant submits that each of the claims presently in the application is believed to be in a condition for allowance. Passage to

Serial Number 09/729898

issue of the subject application is therefore respectfully requested. Should the Examiner feel that the present application is not yet in a condition for allowance and that a telephone or personal interview would be helpful, he is invited to contact applicants' undersigned attorney at 908, 386 8252.

Respectfully submitted,
Martin Lehnert

By 
Stephen M. Gurey
Attorney for the Applicants
Reg. No. 27336
Tel.: 973-386-8252

Date: January 8, 2004

Lucent Technologies Inc.
Docket Administrator – Rm 3J-219
101 Crawfords Corner Road
Holmdel, NJ 07733

ATTACHMENTS:

Certified Copy European Application No. 99309981.1
Declaration